

to the restrictions in appendix G of this subpart, and subject to the record keeping and reporting requirements at § 82.13(u) through (z). There is no amount specified for this exemption.

(4) Any person acquiring unused class I ODSs produced under the authority of essential-use allowances or the essential-use exemption in paragraph (t)(3) of this section for use in anything other than an essential-use (i.e. for uses other than those specifically listed in paragraph (t)(1) of this section) is in violation of this subpart. Each kilogram of unused class I ODS produced or imported under the authority of essential-use allowances or the essential-use exemption and used for a non-essential-

use is a separate violation of this subpart. Any person selling unused class I material produced or imported under the authority of essential-use allowances or the essential-use exemption for uses other than an essential-use is in violation of this subpart. Each kilogram of unused class I ODS produced under the authority of essential-use allowances or the essential-use exemption and sold for a use other than an essential-use is a separate violation of this subpart. It is a violation of this subpart to obtain unused class I ODSs under the exemption for laboratory and analytical uses in excess of actual need and to recycle that material for sale into other markets.

TABLE I.—ESSENTIAL USE ALLOCATION FOR CALENDAR YEAR 2001

Company	Chemical	Quantity (metric tons)
(i) Metered Dose Inhalers (for oral inhalation) for Treatment of Asthma and Chronic Obstructive Pulmonary Disease (in metric tons)		
Medeva Americas, Inc.	CFC–11 or CFC–12 or CFC–114 ...	189.00
Boehringer Ingelheim	CFC–11 or CFC–12 or CFC–114 ...	338.36
Glaxo Wellcome	CFC–11 or CFC–12 or CFC–114 ...	858.10
Aventis	CFC–11 or CFC–12 or CFC–114 ...	190.00
3M Pharmaceuticals	CFC–11 or CFC–12 or CFC–114 ...	304.51
Sidmak Laboratories, Inc.	CFC–11 or CFC–12 or CFC–114 ...	192.20
Schering Corporation	CFC–11 or CFC–12 or CFC–114 ...	1025.20
Sciarra Laboratories, Inc.	CFC–11 or CFC–12 or CFC–114 ...	1.3
(ii) Cleaning, Bonding and Surface Activation Applications for the Space Shuttle Rockets and Titan Rockets		
National Aeronautics and Space Administration (NASA)/Thiokol Rocket	Methyl Chloroform	56.7
United States Air Force/Titan Rocket	Methyl Chloroform	3.4

(u) The following exemptions apply to the production and consumption restrictions under paragraphs (n), (o), and (p), of this section:

- (1) Medical Devices [Reserved]
- (2) Exports to developing countries [Reserved]
- (v) Critical use exemption. [Reserved]
- (w) Emergency use exemption. [Reserved]

[60 FR 24986, May 10, 1995, as amended at 63 FR 4363, Jan. 28, 1998; 63 FR 41642, Aug. 4, 1998; 63 FR 53290, Oct. 5, 1998; 64 FR 1096, Jan. 7, 1999; 65 FR 728, Jan. 6, 2000; 65 FR 40535, June 30, 2000; 65 FR 70803, Nov. 28, 2000; 66 FR 1470, Jan. 8, 2001; 66 FR 14770, Mar. 13, 2001; 66 FR 37767, July 19, 2001; 67 FR 6359, Feb. 11, 2002]

EFFECTIVE DATE NOTE: At 66 FR 37767, July 19, 2001, § 82.4 was amended by redesignating paragraph (a) as (a)(1), adding paragraph (a)(2), redesignating paragraph (c) as (c)(1),

adding paragraph (c)(2), redesignating paragraph (k) as (k)(1), and adding paragraph (k)(2), effective July 19, 2001 through Dec. 31, 2002.

§ 82.5 Apportionment of baseline production allowances.

Persons who produced controlled substances in Group I or Group II in 1986 are apportioned baseline production allowances as set forth in paragraphs (a) and (b) of this section. Persons who produced controlled substances in Group III, IV, or V in 1989 are apportioned baseline production allowances as set forth in paragraphs (c), (d), and (e) of this section. Persons who produced controlled substances in Group VI and VII in 1991 are apportioned baseline allowances as set forth in paragraphs (f) and (g) of this section.

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<i>Controlled substance</i>	<i>Person</i>	<i>Allowances (kg)</i>
(a) For Group I controlled substances:		
CFC-11	Allied-Signal, Inc	23,082,358
	E.I. DuPont de Nemours & Co	33,830,000
	Elf Atochem, N.A	21,821,500
CFC-12	Laroche Chemicals	12,856,364
	Allied-Signal, Inc	35,699,776
	E.I. DuPont de Nemours & Co	64,849,000
	Elf Atochem, N.A	31,089,807
CFC-113	Laroche Chemicals	15,330,909
	Allied-Signal, Inc	21,788,896
CFC-114	E.I. DuPont de Nemours & Co	58,553,000
	Allied-Signal, Inc	1,488,569
CFC-115	E.I. DuPont de Nemours & Co	4,194,000
	E.I. DuPont de Nemours & Co	4,176,000
(b) For Group II controlled substances:		
Halon-1211	Great Lakes Chemical Corp	826,487
	ICI Americas, Inc	2,135,484
Halon-1301	E.I. DuPont de Nemours & Co	3,220,000
	Great Lakes Chemical Corp	1,766,850
Halon-2402		
(c) For Group III controlled substances:		
CFC-13	Allied-Signal, Inc	127,125
	E.I. DuPont de Nemours & Co	187,831
	Elf Atochem, N.A	3,992
	Great Lakes Chemical Corp	56,381
	Laroche Chemicals	29,025
CFC-111		
CFC-112		
CFC-211	E.I. DuPont de Nemours & Co	11
CFC-212	E.I. DuPont de Nemours & Co	11
CFC-213	E.I. DuPont de Nemours & Co	11
CFC-214	E.I. DuPont de Nemours & Co	11
CFC-215	E.I. DuPont de Nemours & Co	511
	Halocarbon Products Corp	1,270
CFC-216	E.I. DuPont de Nemours & Co	170,574
CFC-217	E.I. DuPont de Nemours & Co	511
(d) For Group IV controlled substances:		
CCl ₄	Akzo Chemicals, Inc	7,873,615
	Degussa Corporation	26,546
	Dow Chemical Company, USA	18,987,747
	E.I. DuPont de Nemours & Co	9,099
	Hanlin Chemicals-WV, Inc	219,616
	ICI Americas, Inc	853,714
	Occidental Chemical Corp	1,059,358
	Vulcan Chemicals	21,931,987
(e) For Group V controlled substances:		
Methyl Chloroform	Dow Chemical Company, USA	168,030,117
	E.I. DuPont de Nemours & Co	2
	PPG Industries, Inc	57,450,719
	Vulcan Chemicals	89,689,064
(f) For Group VI controlled substances:		
Methyl Bromide	Great Lakes Chemical Corporation	19,945,788
	Ethyl Corporation	8,233,894
(g) For Group VII controlled substances:		
HBFC 22B1-1	Great Lakes Chemical Corporation	46,211
(h) For class II controlled substances: [Reserved]		